

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.716 OF 1995

M/s.Arpan Leasing Company Ltd. : Plaintiffs

versus

Mr.Vijay Sawant : Defendant.

Ms.Rashmi Vaithy i/by S.Ashwinkumar & Co. for
the plaintiffs.

CORAM : A.S.OKA, J.

DATED : 11/09/2007.

P.C.

1. Heard learned counsel for the plaintiffs.
Following Issues are settled :-

ISSUES :-

1. Whether the plaintiffs prove that the
lease agreement dated 23rd January 1993
was executed by and between the defendant
and the plaintiffs ?

2. Whether the defendant proves that the real nature of the transaction between the plaintiffs was a loan transaction and not a transaction which is reflected in the agreement dated 23rd January 1993 ?
3. Whether the plaintiffs prove that the defendant has committed breach of terms and conditions of the lease agreement ?
4. Whether the plaintiffs prove that the defendant is liable to pay to them a sum of Rs.1,77,768/- with interest thereon as prayed ?
5. What order and decree ?

Suit shall be set down for recording of evidence on 24th September 2007. The plaintiffs are directed to file affidavit in lieu of evidence of their witnesses, if any, affidavit of documents and original documents on the next date. The advocate for the plaintiff will also serve the copies of aforesaid documents to the advocate on record for the defendant on or before 19th

September 2007.

[A.S.OKA, J.]